

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

JAVED MIRZA
ASSIYA MIRZA

Case No. 6:12-bk-06026-KSJ
Chapter 13

Debtors

VERIFIED MOTION TO VALUE CLAIM OF WELLS FARGO HOME MORTGAGE

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files an objection within 30 days from the date this paper is entered on the docket. If you object to the relief requested in this paper, you must file your objection with the Clerk of Court at 135 W. Central Blvd. Ste 950, Orlando, FL 32801 and serve a copy on the undersigned at the address set forth below. If you file and serve an objection within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the Court will consider that you do not oppose the granting of relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

COME NOW the Debtors, Javed Mirza and Assiya Mirza, by and through their undersigned counsel, and file this Verified Motion to Value Claim of Wells Fargo Home Mortgage ("Creditor"), and in support thereof would state as follows:

1. Creditor's secured claim liens the following owned by Debtors:

LOT 2, BLOCK "J", MONTEREY SUBDIVISION, UNIT SIX
Location: 1555 Terre Cia Avenue, Orlando, FL 32807

2. Debtors believe the fair market value for collateral to be \$52,165.00 according to the Orange County Property Appraiser. A true and correct copy of the property description from the


Orange County Property Appraiser's Office website of the real estate in interest is attached and incorporated as "Exhibit A" to this Motion

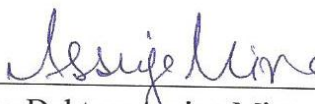
3. Debtors seek to pay the secured value of said claim at 5.25% interest per Bankruptcy Code Section 506(a).

WHEREFORE, Debtors, Javed Mirza and Assiya Mirza, request this Honorable Court for its Order valuing the Creditor's claim in the amount of \$52,165.00 at 5.25% interest, with the rest and remainder being treated as unsecured, and such other relief as may be just and proper in the circumstances.

VERIFICATION

We have read the foregoing and affirm under penalty of perjury it is true and correct to the best of our knowledge, information and belief this 14th day of September, 2012.


Debtor: Javed Mirza


Co-Debtor: Assiya Mirza

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by United States First Class Mail, postage pre-paid or electronic transmission, to **Laurie K. Weatherford**, Chapter 13 Trustee, P.O. Box 3450, Winter Park, FL 32790; **Wells Fargo Home Mortgage**, Attn: BK Department, Mac#D3347-013, 3476 Stateview Blvd., Fort Mills, SC 29715, **Marinosci Law Group, PC**, Attn: Bart T. Heffernan, Esquire, 100 West Cypress Creek Road, Suite 1045, Fort Lauderdale, Florida 33309 on this the 14th day of September, 2012.

/s/ Sultana L. Haque-Bolet
SULTANA L. HAQUE-BOLET, ESQ.
Florida Bar Number 0058959

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EXHIBIT A

1555 Terre Cia Ave

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**Parcel Information - 33-
22-30-5712-10-020**Orange County Property Appraiser • Bill
Donegan, CFA • <http://www.ocpafl.org>**Property Summary**

Property Name
1555 Terre Cia Ave
Names
Mirza Javed A
Municipality
ORL - Orlando
Property Use
0100 - Single Family

Mailing Address
10613 Spring Hammock Way
Orlando, FL 32825-8552
Physical Address
1555 Terre Cia Ave
Orlando, FL 32807



QR Code For Mobile Phone



302233571210020 10/09/2006

**Value and Taxes****Historical Value and Tax Benefits**

Tax Year Values		Land	Building(s)	Feature(s)	Market Value	Assessed Value
2012	W MKT	\$30,000	+ \$19,665	+ \$2,500 =	\$52,165 (- 5.0%)	\$52,165 (- 5.0%)
2011	✓ MKT	\$32,000	+ \$20,429	+ \$2,500 =	\$54,929 (- 26%)	\$54,929 (- 26%)
2010	✓ MKT	\$45,000	+ \$26,325	+ \$2,500 =	\$73,825 (- 22%)	\$73,825 (- 22%)
2009	✓ MKT	\$60,000	+ \$31,815	+ \$2,500 =	\$94,315 (- 30%)	\$94,315 (- 30%)
2008	✓ MKT	\$96,000	+ \$36,585	+ \$2,500 =		